

NOTICE TO THE PUBLIC

Pursuant to Article 19, Section 22, of the Arkansas Constitution, the 85th General Assembly refers the following constitutional amendment to a vote of the people on November 7, 2006. Each elector upon voting his ballot shall vote for or against this amendment.

Stricken language would be deleted from the present Constitution.
Underlined language would be added to the present Constitution.

State of Arkansas

As Engrossed: H2/3/05 H2/28/05

85th General Assembly

Regular Session, 2005 HJR 1003

Referred Amendment #1

By: Representatives Borhauer, Walters, Petrus, Saunders, Cook, Davis, Blair,
Jackson, Mahony. By Senator Broadway

Proposed Constitutional Amendment No. 1

(Referred to the People by the General Assembly)

(Popular Name)

A CONSTITUTIONAL AMENDMENT PROVIDING THAT BINGO AND RAFFLES, IF CONDUCTED BY AUTHORIZED ORGANIZATIONS (DEFINED AS NONPROFIT RELIGIOUS, EDUCATIONAL, VETERANS, FRATERNAL, SERVICE, CIVIC, MEDICAL, VOLUNTEER RESCUE, VOLUNTEER FIRE, AND VOLUNTEER POLICE ORGANIZATIONS), SHALL NOT BE CONSTITUTIONALLY PROHIBITED AS A LOTTERY, PROVIDED THE ORGANIZATION HAS BEEN IN EXISTENCE FIVE YEARS AND NET RECEIPTS ARE USED ONLY FOR CHARITABLE, RELIGIOUS, OR PHILANTHROPIC PURPOSES.

“FOR A PROPOSED AMENDMENT TO THE ARKANSAS CONSTITUTION TO ALLOW BINGO AND RAFFLES TO BE CONDUCTED BY CHARITABLE ORGANIZATIONS; TO AUTHORIZE THE GENERAL ASSEMBLY TO ADOPT LAWS CONCERNING THE LICENSURE, REGULATION, OR TAXATION OF BINGO AND RAFFLES.”

Subtitle

PROPOSED CONSTITUTIONAL AMENDMENT TO ALLOW BINGO AND RAFFLES TO BE CONDUCTED BY CHARITABLE ORGANIZATIONS AND TO AUTHORIZE THE GENERAL ASSEMBLY TO ADOPT LAW REGULATING AND TAXING CHARITABLE BINGO AND RAFFLES.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Representatives and Senators, if a majority of the electors voting thereon at the election, adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. (a) As used in this section:

(1) “Authorized bingo and raffles organization” means a nonprofit tax-exempt religious, educational, veterans, fraternal, service, civic, medical, volunteer rescue service, volunteer firefighths organization, or volunteer police organization that has been in continuing existence as a nonprofit tax-exempt organization in this state for a period of not less than five (5) years immediately prior to conducting the game of bingo or raffles;

(2)(A) "Game of bingo" means a single game of the activity commonly known as "bingo" in which the participants pay a sum of money for the use of one (1) or more bingo cards.

(B) "Game of bingo" shall include only games in which the winner receives a preannounced, fixed-dollar prize and in which the winner is determined by the matching of letters and numbers on a bingo card imprinted with at least twenty-four (24) numbers, with letters and numbers appearing on objects randomly drawn and announced by a caller, in contemporaneous competition among all players in the game; and

(3) "Raffle" means the selling of tickets or chances to win a prize awarded through a random drawing.

(b)(1) The game of bingo or raffles conducted by an authorized bingo and raffles organization shall not be a lottery prohibited by Section 14 of Article 19 of the Arkansas Constitution if all net receipts over and above the actual cost of conducting the game or raffle are used only for charitable, religious, or philanthropic purposes.

(2) No receipts shall be used to compensate in any manner any person who works for or is in any way affiliated with the authorized bingo and raffles organization.

(c) The General Assembly shall provide by law for the licensure and regulation of authorized bingo and raffles organizations to conduct the game or bingo or raffles and may levy taxes on the activities.

SECTION 2. This amendment becomes effective on January 1, 2007.

IN WITNESS WHERE OF, I HAVE HEREUNTO SET MY HAND AND
AFFIXED THE OFFICIAL SEAL OF THE OFFICE OF SECRETARY OF STATE
ON THIS THE 1ST DAY OF MAY, 2007.

CHARLIE DANIELS
SECRETARY OF STATE
STATE OF ARKANSAS